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## Under EPA gun, Rico eyes cleanup plan

By Kara Tatone

Wary of a potential move by the Environmental Protection Agency to come into the town and begin a federally-mandated cleanup of its contaminated soil, Rico town officials took a hurried step to approve an alternate cleanup solution.

At its monthly town meeting Rico's board and residents gave preliminary approval to a voluntary cleanup plan to be executed by former nearby mine owner Atlantic Richfield Co., or ARCO, to deal with what the EPA has called an immediate problem, requiring an immediate answer.

Rico made the decision this week under an EPA mandate that may require the town and ARCO to either come up with their own solution to the problem by about the middle of next month or turn the matter over to the federal agency.

That vague deadline, delivered Feb. 18 by EPA representatives, solicited unfavorable reactions from Rico officials, who said the deadline is too fast to allow the town to come up with a plan, and that evidence justifying such a quick turnaround is essentially incomplete.

And even as Rico hurried this week to hash out options for an independent plan, EPA officials Thursday backed away from that deadline somewhat, saying it is not set in stone.

EPA Region 8 Assistant Administrator Max Dodson said Thursday that his agency slowed down the process in light of Rico officials' and residents' concerns and will listen to the community's needs before it moves.

"We're most interested in what the perspectives were from last night, and they've done a good job communicating with us," said Dodson. "[Mayor Tom Clark] clearly wanted a lot of answers - we're not going to mobilize. We didn't want to do anything hasty, I'm hearing this loud and clear."

But at Wednesday night's meeting, Rico officials hadn't received that word, and took steps to meet the mid-March date.

ARCO Representative Dave Harman at the meeting called his company's cleanup approach a quick and efficient method, without the lingering effects he said EPA cleanups have had on other towns.

"We don't want to be here any longer than you want us to be here," Harman said to the Rico assembly. "My fear is, if a decision isn't made, the EPA is going to make it for you."

Harman was referring to the EPA's option to flex its federal muscle and mandate a cleanup in the town under a program of its choosing from a list officials have said still includes the Superfund designation. Rico officials have been wary of an EPA-controlled cleanup in their town, saying it could result in a stigma that could staunch the budding town's recent growth.

But EPA representatives told Rico officials and residents last week that they had only about a month and half to decide how it wanted to see the cleanup happen.

The federal agency has said that, based on the results of about 50 soil tests taken in the fall, a cleanup should be underway by the summer, or as soon as weather permits.

Many called the meeting a show by the EPA and felt pressured by the immediacy the agency said was needed to react to an age-old problem in the former mining community.

Residents and the Rico Board of Trustees still question the quickness with which the EPA wants to dig into its town soil. Officials want to see more comprehensive soil testing first because they said the EPA has tested just a quarter of privately owned town sites under its own standards, instead of allowing Rico to hire an independent tester.

"There seems to be no reason to rush and it seems like we're only going to have an inefficient cleanup," said Rico Board of Trustees member Jon Kornbluh. "The EPA is not allowing the town to move forward as we should, they're rushing the town and without comprehensive testing. It's a common part of the process, the third party process, why the rush?"

Residents were alarmed by the EPA's call for quick action, and looked to the ARCO cleanup as a potential cooperative solution that would keep the federal agency out of the town.

"Well this has gotten kind of scary all of the sudden, hasn't it?" said resident and Telluride Real Estate Corp. broker in Rico Keith Lindauer.

The EPA's determination of elevated lead levels is also at question by town residents and officials. The EPA considers lead levels more than 400 parts per million to be a problem but Rico Town Attorney Eric Heil questioned whether that level is universally considered too high.

"Is 400 or 500 parts per million okay? Is 700 okay?" he said. "There's more to this than the EPA will come in and clean, there are more ramifications than that."

Heil fears Rico could experience problems like the town of Eureka, Utah where an EPA cleanup damaged roads, sewer lines, and foundations, and rendered some residents unable to refinance homes due to the EPA's mandate.

Heil said the town needs more than the agency's one- to two-month deadline

to react.

"Last Wednesday was day one for us to think into this issue," said Heil. "And it's no less complex than [our] sewer project."

ARCO agreed the test findings came fast and wants to take on the project quickly, though after more comprehensive soil testing has been done on other sites.

"We're at a disadvantage too because we've just received the data, we haven't had the opportunity to look at closely, to evaluate," said Harman. "Since this is a Superfund-type action we felt we needed to intervene."

An ARCO intervention would likely include financial assistance from landowners Rico Renaissance and Rico Properties, as well as backing from the Town of Rico.

According to its preliminary plan, ARCO would conduct further soil sampling on all occupied and some unoccupied lots in the town, and continue to evaluate human risk to determine a parts per million number that accurately requires cleanup under the Colorado Department of Public Health and Environment. "We'll evaluate the risk, the true risk," he said.

"This is a task the size of, equal to, our sewer project. It's as important of a decision as that, and this town has taken eight to 10 years to plan [the sewer project]," said Kornbluh. "We're all in favor of cleaning up lead but we don't have enough comprehensive data to support."

Dodson asked for a list of questions and concerns from Rico residents to be reviewed and discussed at another public meeting later this month.

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